

LEGISLATURE OF NEBRASKA
NINETY-SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 849

Introduced by Business and Labor Committee:
Connealy, 16, Chairperson; Dierks, 40; Preister, 5;
Schimek, 27; Vrtiska, 1

Read first time February 21, 2001

Committee: Business and Labor

A BILL

1 FOR AN ACT relating to claims against the state; to appropriate
2 funds for the payment of certain claims; to provide for
3 payment of the claims; to authorize certain write-offs as
4 prescribed; and to declare an emergency.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. There are hereby appropriated the following
2 sums of money, or so much thereof as may be required, from the
3 General Fund or from other funds as indicated in the state
4 treasury, not otherwise appropriated, for the payment of claims
5 arising out of miscellaneous items of indebtedness owing by the
6 State of Nebraska.

7 2000-2001 MISCELLANEOUS CLAIMS

8 DESCRIPTION	DOLLARS
9 Claim No. 99-232, against the Department of Revenue,	
10 pay to <u>Village of Whitney</u> , c/o Frances Connell,	
11 P.O. Box 121, Whitney, NE 69367,	
12 out of the General Fund.	175.71
13 Claim No. 00-339, against the Office of the Attorney	
14 General, pay to <u>Kurt McBride</u> , 700 N. Washington,	
15 Lexington, NE 68850,	
16 out of the General Fund.	1,000.00
17 Claim No. 00-431, against the Office of the Attorney	
18 General, pay to <u>Keith County Attorney</u> ,	
19 c/o Deborah Gilg, P.O. Box 29, Ogallala, NE 69153,	
20 out of the General Fund.	3,500.00
21 Claim No. 00-437, against the Office of the Attorney	
22 General, pay to <u>John Freudenberg</u> , Box 490,	
23 Rushville, NE 69360,	
24 out of the General Fund.	1,095.00
25 Claim No. 00-439, against the Department of Health	
26 and Human Services, pay to <u>Teva Pharmaceuticals USA,</u>	
27 <u>Inc.</u> , c/o Maryellen Malack, P.O. Box 1090,	
28 North Wales, PA 19454,	

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1 out of the General Fund	5,599.53
2 out of the Department of Health and	
3 Human Services Cash Fund.	8,821.09
4 Claim No. 00-440, against the Office of the Attorney	
5 General, pay to <u>Lincoln County Attorney,</u>	
6 c/o Jeff Meyer, 301 N. Jeffers, Suite 101A,	
7 North Platte, NE 69101,	
8 out of the General Fund.	1,500.00
9 Claim No. 00-475, against the Office of the Attorney	
10 General, pay to <u>Donna Daiss,</u> P.O. Box 71,	
11 Hastings, NE 68902,	
12 out of the General Fund.	221.40
13 Claim No. 00-628, against the Office of the Attorney	
14 General, pay to <u>Lincoln County Attorney,</u>	
15 c/o Jeff Meyer, 301 N. Jeffers, Suite 101A,	
16 North Platte, NE 69101,	
17 out of the General Fund.	500.00
18 Claim No. 00-664, against the Office of the Attorney	
19 General, pay to <u>Lincoln County Attorney,</u>	
20 c/o Jeff Meyer, 301 N. Jeffers, Suite 101A,	
21 North Platte, NE 69101,	
22 out of the General Fund.	500.00
23 Claim No. 00-674, against the Office of the Attorney	
24 General, pay to <u>Lincoln County Attorney,</u>	
25 c/o Jeff Meyer, 301 N. Jeffers, Suite 101A,	
26 North Platte, NE 69101,	
27 out of the General Fund.	500.00
28 Claim No. 00-675, against the Military Department,	

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1	pay to <u>Roger Davis</u> , c/o James Place,	
2	2813 S. 87th Ave., Omaha, NE 68124,	
3	out of the General Fund.	19,387.08
4	Claim No. 00-683, against the Office of the Attorney	
5	General, pay to <u>David Wondra</u> , P.O. Box 110,	
6	Minden, NE 68959,	
7	out of the General Fund.	174.00
8	Claim No. 01-007, against the Office of the Attorney	
9	General, pay to <u>Donna Daiss</u> , P.O. Box 71,	
10	Hastings, NE 68902,	
11	out of the General Fund.	806.40
12	Claim No. 01-019, against the Office of the Attorney	
13	General, pay to <u>David Wondra</u> , P.O. Box 110,	
14	Minden, NE 68959,	
15	out of the General Fund.	195.00
16	Claim No. 01-020, against the Office of the Attorney	
17	General, pay to <u>David Wondra</u> , P.O. Box 110,	
18	Minden, NE 68959,	
19	out of the General Fund.	42.00
20	Claim No. 01-021, against the Office of the Attorney	
21	General, pay to <u>David Wondra</u> , P.O. Box 110,	
22	Minden, NE 68959,	
23	out of the General Fund.	282.00
24	Claim No. 01-055, against the Office of the Attorney	
25	General, pay to <u>Lincoln County Attorney</u> ,	
26	c/o Jeff Meyer, 301 N. Jeffers, Suite 101A,	
27	North Platte, NE 69101,	
28	out of the General Fund.	500.00

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1	Claim No. 01-138, against the Office of the Attorney	
2	General, pay to <u>Lincoln County Attorney,</u>	
3	c/o Jeff Meyer, 301 N. Jeffers, Suite 101A,	
4	North Platte, NE 69101,	
5	out of the General Fund.	3,500.00
6	Claim No. 01-179, against the Office of the Attorney	
7	General, pay to <u>Elizabeth Waterman,</u>	
8	700 N. Washington, Lexington, NE 68850,	
9	out of the General Fund.	500.00
10	Claim No. 01-193, against the Office of the Attorney	
11	General, pay to <u>Lincoln County Attorney,</u>	
12	c/o Jeff Meyer, 301 N. Jeffers, Suite 101A,	
13	North Platte, NE 69101,	
14	out of the General Fund.	1,000.00
15	Claim No. 01-213, against the Office of the Attorney	
16	General, pay to <u>Jeffrey Goltz,</u> P.O. Box 569,	
17	Falls City, NE 68355,	
18	out of the General Fund.	469.00

19 The claims included in this section shall be paid through
20 Program 536 in Agency 65.

21 For informational purposes only, the appropriations
22 contained in this section and fund source:

23	GENERAL FUND	41,447.12
24	CASH FUNDS	8,821.09
25	TOTAL	50,268.21

26 Sec. 2. The following sums of money, or so much thereof
27 as may be required, are hereby appropriated from the General Fund
28 or from other funds as indicated in the state treasury, not

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1 otherwise appropriated, for the payment of tort claims which have
2 been settled by the Attorney General in the district court or in
3 which court judgments have been entered and which require the
4 approval of the Legislature for payment.

5 DESCRIPTION

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6 Tort Claim No. 97-062, against the Department of
7 Roads, pay to Harris, Feldman Law Offices,
8 10050 Regency Circle, Suite 101, Omaha, NE 68114,
9 out of the Department of Roads Operations
10 Cash Fund. 56,386.49

11 Tort Claim No. 98-222, against the Department of
12 Health and Human Services, pay to Sandra W. and
13 Shirley Mora James, Attorney, 215 Centennial Mall
14 South, Lincoln NE 68508,
15 out of the General Fund. 30,000.00

16 Tort Claim No. 98-486, against the Nebraska State
17 Patrol, pay to Laura Schanck and James Welsh,
18 Attorney, 1620 Dodge Street, Omaha, NE 68102,
19 out of the General Fund. 80,531.25

20 Tort Claim No. 98-487, against the Nebraska State
21 Patrol, pay to Brett Schanck and James Welsh,
22 Attorney, 1620 Dodge Street, Omaha, NE 68102,
23 out of the General Fund. 214,750.00

24 Tort Claim No. 98-490, against the Department of
25 Health and Human Services, pay to Donna Van Dyck and
26 Joseph Muller, Attorney, 1000 N. 72nd Street, Omaha,
27 NE 68114,
28 out of the General Fund. 41,151.77

1 Tort Claim No. 99-469, against the Department of
 2 Health and Human Services, pay to Shannon S. and
 3 Bruce Mason, Attorneys, 1505 South 108th Street,
 4 Omaha NE 68144,
 5 out of the General Fund. 24,000.00

6 The claims included in this section shall be paid through
 7 Program 591 in Agency 65.

8 For informational purposes only, the appropriations
 9 contained in this section and fund source:

10 GENERAL FUND	390,433.02
11 CASH FUNDS	56,386.49
12 TOTAL	446,819.51

13 Sec. 3. The following sums of money, or so much thereof
 14 as may be required, are hereby appropriated from the General Fund
 15 or from other funds as indicated in the state treasury, not
 16 otherwise appropriated, for the payment of indemnification claims
 17 which have been settled by the Attorney General in the district
 18 court or in which court judgments have been entered and which
 19 require the approval of the Legislature for payment.

20 DESCRIPTION	DOLLARS
21 Indemnification Claim No. 420(97), against the	
22 Office of the Attorney General, pay to <u>Leroy Carhart</u>	
23 <u>and Alan Stoler, Attorney</u> , 1823 Harney Street,	
24 Suite 1004, Omaha, NE 68102,	
25 out of the General Fund.	159,211.70

26 Indemnification Claim No. 524(00), against the
 27 Department of Health and Human Services, pay to
 28 Dr. Louis Martin and Carole McMahon-Boies, Attorney,

1 P.O. Box 6476, Lincoln, NE 68506,

2 out of the General Fund. 42,326.30

3 The claims included in this section shall be paid through
4 Program 592 in Agency 65.

5 For informational purposes only, the appropriations
6 contained in this section and fund source:

7 GENERAL FUND 201,538.00

8 TOTAL 201,538.00

9 Sec. 4. The following sums of money, or so much thereof
10 as may be required, are hereby appropriated from the General Fund
11 or from other funds as indicated in the state treasury, not
12 otherwise appropriated, for the payment of workers' compensation
13 lump-sum settlements which have been approved by the Nebraska
14 Workers' Compensation Court and which require the approval of the
15 Legislature for payment.

16 DESCRIPTION DOLLARS

17 Workers' Compensation Lump-Sum Settlement approved
18 by the Nebraska Workers' Compensation Court, pay to
19 Tom Retchless and Rod Rehm, Attorney,

20 3701 Union Drive, Suite 200, Lincoln, NE 68516,

21 out of the Workers' Compensation Claims

22 Revolving Fund 77,877.60

23 The claim in this section shall be paid through Program
24 593 in Agency 65.

25 For informational purposes only, the appropriation
26 contained in this section and fund source:

27 REVOLVING FUNDS 77,877.60

28 TOTAL 77,877.60

1 Sec. 5. The Director of Administrative Services is
2 hereby authorized and directed to draw his or her warrants on or
3 before June 30, 2002, upon the funds in the state treasury
4 enumerated in this act, in favor of the several beneficiaries named
5 in this act for the amount set opposite their respective names upon
6 the presentation of proper vouchers therefor. The several amounts
7 appropriated in this act shall be in full payment of any and all
8 claims, rights, causes of action, damages, and demands of every
9 character and kind owing by or against the State of Nebraska, its
10 officers, agents, and employees, and their successors and assigns
11 with respect to each of the beneficiaries respectively in whose
12 favor the appropriations are made. The director shall not deliver
13 any warrant for any items appropriated in this act until a receipt
14 and release in full, releasing the State of Nebraska, its officers,
15 employees, and agents, and their successors and assigns, has been
16 filed by each of the beneficiaries respectively. Upon presentation
17 of the warrants, the State Treasurer is hereby directed to pay the
18 same out of money in the General Fund or out of money in other
19 funds indicated in this act not otherwise appropriated.

20 Sec. 6. The following requests were filed by state
21 agencies seeking permission to write off certain accounts. The
22 State Claims Board reviewed and approved the following requests:

23 DESCRIPTION	DOLLARS
24 Request No. 00-378, made by the Department of	
25 Health and Human Services	988.00
26 Request No. 00-477, made by the Department of	
27 Aeronautics	25.22
28 Request No. 00-528, made by the Department of	

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1 Administrative Services-Communications		440.00
2 Request No. 00-652, made by the State Fire		
3 Marshal		1,005.00
4 Request No. 00-662, made by the Clerk of the		
5 Legislature		89.14
6 Request No. 01-169, made by the Supreme Court		252.21
7 Request No. 01-190, made by the Department of		
8 Health and Human Services Finance and Support		403,265.52
9 Request No. 01-194, made by the Game and Parks		
10 Commission		69,043.24
11 Request No. 01-195, made by the Game and Parks		
12 Commission		14,514.87
13 Request No. 01-251, made by the Department of		
14 Health and Human Services, Grand Island Veterans'		
15 Home		22,885.25
16 Request No. 01-252, made by the Department of		
17 Health and Human Services, Vital Statistics		728.00
18 Sec. 7. Since an emergency exists, this act takes effect		
19 when passed and approved according to law.		